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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,264	10/22/2001	Mark H. Lucovsky	3090	9015

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MICROSOFT CORPORATION
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EXAMINER
STEVENS, ROBERT

ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 10/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/021,264	LUCOVSKY ET AL.
	Examiner	Art Unit	
	Robert Stevens	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *21 July 2006*.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *4-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *4-24* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

SHAHID ALAM
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06) Office Action Summary Part of Paper No./Mail Date 20060921

DETAILED ACTION

1.   The Office withdraws the previous rejections of the claims under 35 U.S.C.

§103(a), in light of the amendment. However, the Office has set forth new rejections

under 35 U.S.C. §§112-1st and -2nd paragraphs and 103(a), in light of the amendment.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-20 have been considered but are

moot in view of the new ground(s) of rejection.

Continued Examination Under 37 CFR 1.114

3.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

1/16/2006 has been entered.

Claim Objections

4.   **Claim 4 is objected to** because of the following informalities: The word

"comprising" in line 1 should be followed by a colon, rather than a comma. Appropriate

correction is required.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7.   **Claims 4-11 are rejected under 35 U.S.C. 112, first paragraph**, as failing to

comply with the enablement requirement. The claim(s) contains subject matter which

was not described in the specification in such a way as to enable one skilled in the art to

which it pertains, or with which it is most nearly connected, to make and/or use the

invention.

Regarding independent claim 4: the newly recited limitation directed to a data store that stores *financial* data appears to constitute new matter, as a description of such did not appear in the as-filed specification.

Claims 5-11 are dependent upon claim 4, and therefore likewise rejected.

8.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9.   **Claims 4-11 are rejected under 35 U.S.C. 112, second paragraph**, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding independent claim 4: This claim recites a requirement for a data store for financial data in lines 4-5 and the subsequent retrieval of calendar data from that data store in line 9. It is unclear how/why calendar data is retrieved from a financial data store. The intended scope of this claim is therefore ambiguous. For the purpose of further consideration, this claim will be interpreted as reciting a generic data store.

Claims 5-11 are dependent upon claim 4, and therefore likewise rejected.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. **Claims 4-24 are rejected under 35 U.S.C. 103(a)** as being unpatentable over

Lawande et al (US Patent No. 6,934,740, filed Sep. 19, 2000 and issued Aug. 23, 2005,

hereafter referred to as "Lawande") in view of Margery Spears, editor (<u>Microsoft Outlook</u>

<u>2000: Step by Step</u>, Catapult Inc., © 1999, pp. vii-ix, 133-218 and 221-267, hereafter

referred to as "Spears") and further in view of Brown et al (US Patent No. 6,601,016,

filed Apr. 28, 2000 and issued Jul. 29, 2003, hereafter referred to as "Brown").

<u>Regarding independent claim 4</u>, Lawande discloses: *In a computer network,*

a method performed by a schema-based service for identity-based access to

calendar data, (See Lawande Figure 17, showing a calendar service, in context of

column 51 Table 9, listing a calendar DTD.) *the method comprising, receiving a*

request from a device to retrieve a user's calendar data from a data store that

stores financial data of a plurality of users, the request including associated

identity information identifying one of the users, where the request is structured

with markup language that conforms to a markup language schema that defines how requests to the service are structured; (See Lawande Figure 17 #942 [A-C] showing storage of user calendar data, in context of Figure 18, showing a calendar service architecture and data flow.) *reading from the data store to obtain the user's calendar data in response to the request, wherein access to the data store is based on the user's associated identity information;* (See Lawande Figure 17, especially #942 A-C, disclosing access to stored calendar data associated with a user ID [e.g., Mom, Dad, Family].) *constructing a calendar document including at least part of the requested user's calendar data, the defined schema operable to be interpreted by the device, where the user's calendar data in the calendar document is structured with markup language that conforms to the defined schema for calendar data;* (See Lawande column 50 line 64 through column 51 line 6 and column 51 Table 9, disclosing the downloading of calendar XML data and the use of a DTD. The Office notes that a DTD is an obvious variant of a schema.) *returning the calendar document to the device in response to the request.* (See Lawande Figure 17, noting the path labeled "To User Display".)

However, Lawande does not explicitly disclose the remaining limitations. Spears, though, discloses: *filtering the calendar data based on a type of role of the calendar data's requester, whereby the amount of calendar data to be returned varies according to a role of the requester;* (See Spears top of page 253, showing a

table listing various roles [e.g., contributor, reviewer, etc.], and page 254, especially the figure under bullet #3, and noting the column of data entitled "Role:".)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Spears for the benefit of Lawande, because to do so would have provided a mechanism for colleagues who use different scheduling programs or who use Outlook in another organization to exchange scheduling information, as taught by Spears in the second paragraph on page 134. These references were all applicable to the same field of endeavor, i.e., electronic calendars.

However, Lawande does not explicitly disclose the remaining limitations. Brown, though, discloses: *and including or referencing a defined schema for calendar data,* (See Brown column 7 lines 3-6, discussing the inclusion of a schema with an XML data file.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Brown for the benefit of Lawande in view of Spears, because to do so would have provided a mechanism for a programmer to verify that all data required was included in an XML file, as taught by Brown in column 7 lines 7-9. These references were all applicable to the same field of endeavor, i.e., electronic calendars.

Regarding claim 5, Lawande discloses a defined element. (See Lawande column 51 Table 9, showing a calendar DTD listing, including elements such as "TimeEntry".)

Regarding claim 6, Lawande does not explicitly disclose this limitation. Spears, though, discloses a calendar item name. (See Spears page 169 Figure under bullet #8, especially the text field labeled "Subject:".)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Spears for the benefit of Lawande and Brown, because to do so would have provided a mechanism for colleagues who use different scheduling programs or who use Outlook in another organization to exchange scheduling information, as taught by Spears in the second paragraph on page 134. These references were all applicable to the same field of endeavor, i.e., electronic calendars.

Regarding claim 7, Lawande does not explicitly disclose this limitation. Spears, though, discloses a calendar item date. (See Spears page 169 Figure under bullet #8, especially the date field labeled "Start time:".)

Regarding claim 8, Lawande does not explicitly disclose this limitation. Spears, though, discloses a calendar item duration. (See Spears page 169 Figure under bullet #8, especially the text field labeled "End time:".)

Regarding claim 9, Lawande does not explicitly disclose this limitation. Spears, though, discloses a calendar item list of attendees. (See Spears page 169 Figure under bullet #8, especially the text field labeled "To:".)

Regarding claim 10, Lawande does not explicitly disclose this limitation. Spears, though, discloses a calendar item notification setting. (See Spears page 169 Figure under bullet #8, especially the check box labeled "Reminder:".)

Regarding claim 11, Lawande does not explicitly disclose this limitation. Spears, though, discloses a calendar item priority setting. (See Spears page 188 Figure under bullet #8, especially the "Priority:" setting pull down menu selector.)

Claims 12-13 are each directed to a computer-readable medium for storing the instructions to implement the methods of claims 4-5. As such, these claims are substantially similar to claims 4-5, respectively, and therefore likewise rejected.

Regarding independent claim 14, Lawande discloses: *In a computer network, a method comprising: providing access to a network using a device, the access requiring associated identity information corresponding to the device;* (See Lawande Figure 15, disclosing the use of a PALM device for accessing a calendar application, it having been well known in the art that a device ID or address was necessary to receive a transferred calendar data file. See also column 49 lines 38-42, discussing the use of personal information device identifiers for database lookups.) *receiving a request for calendar data stored in a data store from a service accessible via the network using a service to service protocol, the request based on including the associated identity information;* (See Lawande Figure 15, disclosing the use of a PALM device for accessing a calendar application, it having been well known in the art that a device ID or address was necessary to receive a transferred calendar data file. See also column 49 lines 38-42, discussing the use of personal information device identifiers for database lookups. See also column 45 lines 27-36, disclosing an exemplary wireless network connection.) *determining if the request is an allowable request based on the associated identity information and in response to a determination of allowability selecting the calendar data that corresponds to the identity information from among a plurality calendars in the data store;* (See Lawande column 49 lines 37-50, disclosing calendar access and display from among a plurality of calendars.) *and if the request is allowable, returning a calendar document to the device, and where the calendar data is structured with markup language that conforms to the schema.* (See Lawande

column 50 line 64 through column 51 line 6 and column 51 Table 9, disclosing the

downloading of calendar XML data and the use of a DTD. The Office notes that a DTD

is an obvious variant of a schema. See also Lawande Figure 17, noting the path

labeled "To User Display".)

However, Lawande does not explicitly disclose the remaining limitations.

Spears, though, discloses: *filtering the calendar data based on a type of role of the*

calendar data's requester, whereby the amount of calendar data to be returned

varies according to a role of the requester; the calendar document including the

filtered calendar data, (See Spears top of page 253, showing a table listing various

roles [e.g., contributor, reviewer, etc.], and page 254, especially the figure under bullet

#3, and noting the column of data entitled "Role:".)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to apply the teachings of Spears for the benefit of Lawande, because to do so

would have provided a mechanism for colleagues who use different scheduling

programs or who use Outlook in another organization to exchange scheduling

information, as taught by Spears in the second paragraph on page 134. These

references were all applicable to the same field of endeavor, i.e., electronic calendars.

However, Lawande does not explicitly disclose the remaining limitations. Brown,

though, discloses: *and including with the calendar document a reference to or*

copy of a schema associated with the service, (See Brown column 7 lines 3-6,

discussing the inclusion of a schema with an XML data file.)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to apply the teachings of Brown for the benefit of Lawande in view of Spears,

because to do so would have provided a mechanism for a programmer to verify that all

data required was included in an XML file, as taught by Brown in column 7 lines 7-9.

These references were all applicable to the same field of endeavor, i.e., electronic

calendars.

Regarding claim 15, Lawande discloses a calendar service. (See Lawande

Figure 17, showing a calendar application, which provides user access to a calendar

database.)

Claim 16 is substantially similar to claim 5, and therefore likewise rejected.

Regarding claim 17, Lawande does not explicitly disclose this limitation. Spears, though, discloses manipulating calendar data if allowed to do so. (See Spears page 161 top Quick Reference entry, disclosing an editing manipulation request, the implication being that if such editing was performed, then it was allowable.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Spears for the benefit of Lawande, because to do so would have provided a mechanism for colleagues who use different scheduling programs or who use Outlook in another organization to exchange scheduling information, as taught by Spears in the second paragraph on page 134. These references were all applicable to the same field of endeavor, i.e., electronic calendars.

Regarding claim 18, Lawande does not explicitly disclose this limitation. Spears, though, discloses a query manipulation. (See Spears page 161 third Quick Reference entry, disclosing a "Find an Appointment" query.)

Regarding claim 19, Lawande does not explicitly disclose this limitation. Spears, though, discloses an insert manipulation. (See Spears page 159 first Quick Reference entry, disclosing a "Schedule a Detailed Appointment" manipulation.)

Regarding claim 20, Lawande does not explicitly disclose this limitation. Spears, though, discloses a delete manipulation. (See Spears page 161 second Quick Reference entry, disclosing a "Delete a Recurring Appointment" manipulation.)

Regarding claim 21, Lawande does not explicitly disclose this limitation. Spears, though, discloses an update manipulation. (See Spears page 161 first Quick Reference entry, disclosing an "Edit ... a Recurring Appointment" manipulation.)

Regarding claim 22, Lawande does not explicitly disclose this limitation. Spears, though, discloses a replace manipulation. (See Spears page 161 first Quick Reference entry, disclosing an "Edit or Move a Recurring Appointment" manipulation.)

Regarding claim 23, Lawande does not explicitly disclose this limitation. Spears, though, discloses a send message manipulation. (See Spears page 161 fourth and fifth Quick Reference entries, disclosing various reminder manipulations.)

Regarding independent claim 24, Lawande discloses: *A method performed by a calendar service,* (See Lawande Figure 17, showing a calendar service, in context of column 51 Table 9, listing a calendar DTD.) *the method comprising: receiving requests via a network from a plurality of requesters, where each request comprises request content describing a request to the service,* (See Lawande Figure 15, disclosing the use of a PALM device for accessing a calendar application, it having been well known in the art that a device ID or address was necessary to receive a transferred calendar data file. See also column 49 lines 38-42, discussing the use of personal information device identifiers for database lookups. See also column 45 lines 27-36, disclosing an exemplary wireless network connection.) *including at least an identity of a user having calendar data maintained by the service,* (See Lawande Figure 17, especially #942 A-C, disclosing access to stored calendar data associated with a user ID [e.g., Mom, Dad, Family].) *and where the request also comprises markup language that structures the request content such that it conforms with a schema that defines the service;* (See Lawande column 50 line 64 through column 51 line 6 and column 51 Table 9, disclosing the downloading of calendar XML data and the use of a DTD. The Office notes that a DTD is an obvious variant of a schema.) *using the identities of the requests to find the calendar data of the corresponding users;* (See Lawande Figure 17, especially #942 A-C, disclosing access to stored calendar data associated with a user ID [e.g., Mom, Dad, Family], and column 49 lines 38-42, discussing an exemplary use of personal information device identifiers for database lookups.)

However, Lawande does not explicitly disclose the remaining limitations.
Spears, though, discloses: *for each of the calendar data, determining portions of
the calendar data to return to the calendar data's requester based on a type of
role of the calendar data's requester, whereby an amount of calendar data to be
returned to a requester varies according to a role of the requester;* (See Spears
top of page 253, showing a table listing various roles [e.g., contributor, reviewer, etc.],
and page 254, especially the figure under bullet #3, and noting the column of data
entitled "Role:".)

It would have been obvious to one of ordinary skill in the art at the time of the
invention to apply the teachings of Spears for the benefit of Lawande, because to do so
would have provided a mechanism for colleagues who use different scheduling
programs or who use Outlook in another organization to exchange scheduling
information, as taught by Spears in the second paragraph on page 134. These
references were all applicable to the same field of endeavor, i.e., electronic calendars.

However, Lawande does not explicitly disclose the remaining limitations. Brown,
though, discloses: *and via the network, returning responses to the respective
requesters, where each response comprises its requester's determined calendar
data and markup language that structures the calendar data such that it conforms
with the schema that defines the service.* (See Brown column 7 lines 3-6, discussing

the inclusion of a schema with an XML data file, in the context of Figure 2, showing network #62 access of an electronic calendar #59.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Brown for the benefit of Lawande in view of Spears, because to do so would have provided a mechanism for a programmer to verify that all data required was included in an XML file, as taught by Brown in column 7 lines 7-9. These references were all applicable to the same field of endeavor, i.e., electronic calendars.

Conclusion

12.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Non-patent Literature

Eustice, K. F., et al., "A Universal Information Appliance", IBM Systems Journal, Vol. 38 No. 4, © 1999, pp. 575-601.

Koppen, E., et al., "Active Hypertext For Distributed Web Appliances", WET ICE '99, Jun. 16-18, 1999, pp. 297-302.

Carroll, Ted, et al., "XML for Resource Scheduling / Calendar Management", xml-dev list posting dated Nov. 6, 1998, downloaded from: lists.xml.org/archives/xml-dev/199811/msg00151.html, pages 1-2.

Ayers, Bill, "XML for Resource Scheduling / Calendar Management", xml-dev list posting dated Nov. 8, 1998, downloaded from: lists.xml.org/archives/xml-dev/199811/msg00165.html, pages 1-2.

US Patent Application Publications

Kellond et al.	2003/0061081
Dick et al.	2003/0074247
Rapp et al.	2002/0116232

US Patents

Desai et al.	6,820,204
Ford et al.	6,480,830
Balsara et al.	6,065,012

Contact Information

13.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Robert Stevens whose telephone number is (571) 272-

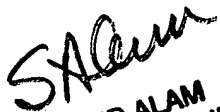4102. The examiner can normally be reached on M-F 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Robert Stevens
Examiner
Art Unit 2162

September 21, 2006

SHAHID ALAM
PRIMARY EXAMINER